



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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January 23, 2023

The Honorable David N. Hurd  
United States District Court Judge  
Northern District of New York  
Alexander Pirnie Federal Bldg. and U.S. Courthouse  
10 Broad Street  
Utica, NY 13501

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read "David N. Hurd".

David N. Hurd  
U.S. District Judge

Dated: 1-24-2023

Re: NCRNC, LLC d/b/a Northeast Center for  
Rehabilitation and Brain Injury  
Civil No. 1:20-MC-11

Dear Judge Hurd:

On July 27, 2020, the Court granted the National Labor Relations Board's petition for temporary injunctive relief filed pursuant to Section 10(j) of the National Labor Relations Act, as amended, 29 U.S.C. Section 160(j) (the Act). This relief was ancillary to the administrative proceeding then pending before the Board in NLRB Case 03-CA-252090 et al. By statute the injunction was intended to last only until the final decision and order of the Board in the administrative proceeding.

On December 16, 2022, the Board issued its final administrative decision and order in NLRB Case 03-CA-252090 et al. Under the Act, the Court's injunctive order terminated by operation of law on December 16, 2022. See Barbour v. Central Cartage, Inc., 583 F.2d 335 (7<sup>th</sup> Cir. 1978); Johansen v. Queen Mary Restaurant Corp., 522 F.2d 6 (9<sup>th</sup> Cir. 1975); Levine v. Fry Foods, Inc., 596 F.2d 719 (6<sup>th</sup> Cir. 1979); D'Amico v. Lee's Contracting Services, Inc., 141 LRRM 2851, 2853, n. 1, 1991 WL 472878 (E.D. Va. 1991) (Section 10(j)). Cf. Sears, Roebuck & Co. v. Carpet Layers Union, 397 U.S. 655 (1970) (Section 10(l)).

In view of the termination of the Court's injunction, the Board respectfully suggests that the Court can now close this matter on its records.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alicia Pender Stanley".

Alicia Pender Stanley  
Attorney for Petitioner

NCRNC, LLC d/b/a Northeast Center for  
Rehabilitation and Brain Injury  
Case 03-CA-252090

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cc:

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